CLAIM AMENDMENTS

The listing of claims below replaces prior versions of claims in the application:

Claims 1-8 are **CANCELED.**

9. (CURRENTLY AMENDED) A method for facilitating speedy communication of packets between entities on a network through a communication device, the method comprising:

sending a set of packets from a sending entity to a receiving entity, wherein a transmission delay between packets in the set is intolerable;

immediately thereafter, sending at least one "push" packet to avert a transmission delay between packets in the set, wherein the "push" packet forces the transmission of the set of packets by the communication device to avoid the transmission delay ~~is~~ caused by packet buffering ~~of a~~ by the communication device on the network.

10. (ORIGINAL) A method as recited in claim 9, wherein the set of packets includes two packets sent back-to-back.

11. (ORIGINAL) A method as recited in claim 9, wherein the set of packets are bandwidth-measurement packets for measuring bandwidth between the sending entity and the receiving entity.

12. **(ORIGINAL)** A method as recited in claim 9, wherein the communication device is a proxy server.

13. **(ORIGINAL)** A method as recited in claim 9, wherein the network is TCP.

14. **(ORIGINAL)** A program module having computer-executable instructions that, when executed by a computer, performs the method as recited in claim 9 at an application layer in accordance with an OSI model.

15. **(ORIGINAL)** A computer-readable medium having computer-executable instructions that, when executed by a computer, performs the method as recited in claim 9.

Claims 16-25 are **CANCELED.**

26. **(CURRENTLY AMENDED)** A method for facilitating bandwidth measurement between two entities on a network through a communication device, the method comprising:

sending a pair of bandwidth-measurement packets from a sending entity to a receiving entity, wherein a transmission delay between packets in the pair is intolerable;

immediately thereafter, sending at least one "push" packet to avert a transmission delay between packets in the pair, wherein the "push" packet forces the transmission of the set of packets by the communication device to avoid the

transmission delay ~~is~~ caused by packet buffering ~~of a~~ by the communication device on the network.

27. **(ORIGINAL)** A method as recited in claim 26 further comprising receiving a bandwidth calculation based upon measurements related to the pair of packets.

28. **(CANCELED)**

29. **(CANCELED)**

30. **(CANCELED)**

31. **(CURRENTLY AMENDED)** A computer-readable medium having computer-executable instructions that, when executed by a computer, perform a method to facilitate speedy communication of packets between entities on a network through a communication device, the method comprising:

sending a set of packets from a sending entity to a receiving entity, wherein a transmission delay between packets in the set is intolerable;

immediately thereafter, sending at least one "push" packet to avert a transmission delay between packets in the set, wherein the "push" packet forces the transmission of the set of packets by the communication device to avoid the transmission delay ~~is~~ caused by packet buffering ~~of a~~ by the communication device on the network.

32. (CANCELED)

33. (CANCELED)

34. (CURRENTLY AMENDED) An apparatus comprising:

a processor;

a transmission-delay avoider executable on the processor to:

send a set of packets from a sending entity to a receiving entity through a communication device, wherein a transmission delay between packets in the set is intolerable;

immediately thereafter, send at least one "push" packet to avert a transmission delay between packets in the set, wherein the "push" packet forces the transmission of the set of packets by the communication device to avoid the transmission delay ~~is~~ caused by packet buffering ~~of a~~ by the communication device on the network.

35. (CANCELED)

36. (CANCELED)

37. **(CURRENTLY AMENDED)** A modulated data signal having data fields encoded thereon transmitted over a communications channel through a communication device, comprising:

a first field including a first bandwidth-measurement packet;

a second field including a second bandwidth-measurement packet;

a third field including a "push" packet facilitating minimization of transmission delay between the first and second packets, wherein the "push" packet forces the transmission of the first and second packets by the communication device to avoid the transmission delay ~~is~~ caused by packet buffering ~~of a~~ by the communication device over the communication channel~~on the network~~.

Claims 38-48 are **CANCELED.**

49. **(NEW)** A method as recited in claim 9, wherein the "push" packet is sent from the sending entity.

50. **(NEW)** A method as recited in claim 9, wherein the ~~transmission delay is caused by packet buffering of a communication device on the network, the~~ communication device ~~causing the transmission delay is neither the sending entity nor the receiving entity~~ comprises a device other than the sending entity or the receiving entity.

51. (NEW) A method as recited in claim 9, wherein the packet buffering causing the transmission delay is characterized by a buffering action where one or more of the set of packets are buffered into a packet buffer, wherein the transmission delay is a result of the packet buffering action ~~itself and not a result of filling or nearly filling the packet buffer~~.

52. (NEW) A method as recited in claim 26, wherein the "push" packet is sent from the sending entity.

53. (NEW) A method as recited in claim 26, wherein the ~~transmission delay is caused by packet buffering of a communication device on the network, the~~ communication device ~~causing the transmission delay is neither the sending entity nor the receiving entity~~ comprises a device other than the sending entity or the receiving entity.

54. (NEW) A method as recited in claim 26, wherein the packet buffering causing the transmission delay is characterized by a buffering action where one or more of the set of packets are buffered into a packet buffer, wherein the transmission delay is a result of the packet buffering action ~~itself and not a result of filling or nearly filling the packet buffer~~.